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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/852,963

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Michael Tolson

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20995

7590

01/06/2005

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

HU, JINSONG

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,963

Applicant(s)

TOLSON ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 7-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attached.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

IDS mail date: 8/22/01; 2/22/02; 3/27/02

DETAILED ACTION

1. Claims 1-6 are presented for examination.
2. Applicant's election without traverse of claims 1-6 in the reply filed on 9/17/04 is acknowledged.
3. Claim 1 is objected to because there is a typo exists, i.e., the word "agesnt" should be "agent".

Claim Rejections - 35 USC § 112

4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claims is not clearly understood.

i. As per claim 1, it is uncertain the relationship between first information agent and second information agent [i.e., do they refer to the information for different accounts or the information related to different processing states of one account].

ii. As per claim 2, it is uncertain which information agent the word "said agent" refers to [i.e., first or second, if it refers to the first agent, the name should be "said first information agent"].

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Corrections are required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Pitroda (US 5,590,038).

7. Pitroda is a prior art reference cited by applicant on 1449 form, dated to 2/22/02.

8. As per claim 1, Pitroda teaches the invention as claimed including a method of providing a compose-able information agents [col. 1, lines 9-13] comprising:

presenting a graphical representation [Fig. 1; col. 3, lines 62-65] associated with an first information agent in a composition accessed by an initial application, said information agent having state and having one or more possible external connections [Fig. 3; col. 3, line 65 – col. 4, line 20; col. 9, lines 54-63];

presenting one or more graphical representations associated with one or more second information agents in a composition accessed by an application [col. 5, line 14 – col. 6, line 16];

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allowing connection to be made by graphically connecting one or more of said graphical representations associated with one or more second information agents with said graphical representation of said first information agent and connecting functionality of said one or more second information agent with said first information agent [col. 5, line 14 - col. 6, line 43].

9. As per claim 2, Pitroda teaches the agent can be relocated to a new environment and will take all of its associated second agents with it [col. 3, lines 34-43; col. 9, line 63 – col. 10, line 8].

10. As per claim 5, Pitroda teaches the initial application is a desktop provided by an operating system and wherein said second information agents are presented in a different application but may be connected to a first information on a desktop [col. 5, line 14 – col. 6, line 16; col. 9, line 63 – col. 10, line 2].

11. As per claim 6, Pitroda teaches the desktop provided by an operating system is an interface of a platform, said platform selected from the group consisting of a windows PC, a Macintosh PC, a unix-type operating system, a set-top box, a wireless logic appliance, internet appliance, a personal digital assistant, or any other device connected to a network [24, Fig. 2].

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda (US 5,590,038) as applied to claims 1-2 and 5-6 above, in view of Slater (US 6,615,190).

14. As per claims 3 and 4, Pitroda teaches the invention substantially as claimed in claim 1. Pitroda does not specifically disclose the initial application is a web browser or an email. However, Slater on the other hand teaches the initial application is a web page or an email client [col. 3, lines 16-26]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Pitroda and Slater because utilizing Slater's web page and email in Pitroda's system would bring convenience to user by allowing users selecting one communication method they preferred. One of ordinary skill in the art would have been motivated to modify the Pitroda's system with Slater's web page and email to attract more users.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Wallerstein (US 5,955,961) discloses a transaction card;

Freeman et al. (US 6,450,407) discloses a chip card rebate system; and

Sehr (US 6,609,658) discloses a travel system.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

December 16, 2004

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100